

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

UNITED STATES OF AMERICA,

Docket. No. S1 24 Cr. 211 (KPF)

- against -

HERMAN COLON,

Defendant.

----- x

MOTION FOR A CONTINUANCE (*LETTER*)

Anthony L. Ricco, Esq.
Attorney For *Herman Colon*
20 Vesey Street, Suite 400
New York, New York 10007
(212) 791-3919

Steven Legon, Esq.
Of Counsel and on the Memorandum

ANTHONY L. RICCO

Attorney At Law

20 VESEY STREET

NEW YORK, NEW YORK 1007

TEL. (212) 791-3919 FAX. (212) 719-3940

September 30, 2024

BY ECF

Hon. Katherine Polk Failla
United States District Court Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: ***United States v. Herman Colon***, Docket No. S1 24 Cr. 211 (KPF)

Dear Judge Failla:

This letter is submitted to request an adjournment of Herman Colon's sentencing which is presently scheduled for October 8, 2024. I am on trial before the Hon. Vernon S. Broderick in *United States v. Calvin Darden, Jr.*, Docket No. 23 Cr. 134 (VSB). As a result, I have been ultimately unable to get Mr. Colon's sentencing submission filed in a timely manner for the October 8, 2024 sentencing date. As a result, I am requesting a modest continuance to any date on or after October 28, 2024 for sentencing. I am unavailable from November 4 through November 14, 2024.

I have discussed this application for a continuance of Mr. Colon's sentencing date with A.U.S.A. Amanda Weingarten, and also advised the government that Mr. Colon waives Speedy Trial time in relation to his request for a continuance. A.U.S.A. Weingarten requested that if Mr. Colon was going to file for a continuance, that the defense file its request today, since the government was required to file its sentencing submission tomorrow.

Respectfully submitted,

Anthony L. Ricco

Anthony L. Ricco

ALR/jh

cc: A.U.S.A. Amanda Weingarten (*via email & ECF*)

Application GRANTED. The sentencing currently scheduled for October 8, 2024, is hereby ADJOURNED to **November 26, 2024**, at **3:30 p.m.** As before, Defendant's sentencing submission is due two weeks prior to the sentencing. The Government's sentencing submission is due one week prior to the sentencing.

Defense counsel is advised that the Court expects closer adherence to the Court's deadlines moving forward. The Court is unmoved by counsel's reliance on competing case demands as a justification for his neglect of important deadlines in this case.

The Clerk of Court is directed to terminate the pending motion at docket entry 39.

SO ORDERED.

Date: October 1, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE